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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,480	03/01/2004	Roger Pyron	577-625 (T&B 1761)	9508
23869	7590	12/16/2004	EXAMINER	
HOFFMANN & BARON, LLP 6900 JERICHO TURNPIKE SYOSSET, NY 11791			PATEL, DHIRUBHAI R	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

912

Office Action Summary

Application No.

10/790,480

Applicant(s)

PYRON, ROGER

Examiner

DHIRU R PATEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 16-22 is/are rejected.
- 7) ☒ Claim(s) 11-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1204.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, said first end portion of said compression ring can extend at least partially outside said passage of said gland nut recited in claim 1, at least one means recited in claims 7, 11 and means for providing a tactile indication recited in claim 17 must be shown or the feature(s) canceled from the claim(s). The examiner suggest showing reference number for at least one means and means. A proposed drawing correction or corrected drawings are required in reply to the office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance. No new matter should be entered.

Applicant is responsible for showing claimed invention.

2. Applicant is required to submit a proposed drawing correction in reply to this office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any

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portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 5 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 5 line 1, "said shoulder" is confusing because it is not clear that said shoulder for a shoulder being claimed in claim 1 or an exterior shoulder being claimed in claim 5?

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims 1-2, 5, 9, 16 and 21, 23-24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Bachle (4,169,967).

Bachle discloses:

Regarding claim 1, an electrically conductive connector fitting for a rigid conduit comprising: a connector body 140(see fig 1) having a passage 144 for receiving a conduit 160(see fig 1);a gland nut 110 (see fig 1) threadably coupled to the connector body (see fig 3, column 5 lines 45-55), said gland nut including a passage extending therethrough and a shoulder 116 (see figs 4 and 6, column 5 lines 65-68, and column 6 lines 1-2) extending into said passage;a continuous metal compression ring 120 (see figs 5, 5A-C) positioned within said gland nut passage (see figs 4 and 6), said compression ring including a stop 127 and an end portion 123 adjacent to said gland nut shoulder (see figs 4 and 6), said end portion being positionable within said shoulder when said gland nut is tightened (see figs 4 and 6).

Regarding claim 2, wherein said compression ring is comprised of a central portion including an annular ridge and first and second end portions 124 and 125 respectively have substantially flat, rim-like configurations (see fig 5A), said stop being comprised of said annular ridge (see fig 5A).

Regarding claim 5, claim 5 is included in this rejection as best understood.

Regarding claim 9, wherein said stop on said compression ring is engageable with an end of said connector body to limit movement of said compression ring

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in the direction of said connector body as said gland nut is tightened (see figs 4, 6 and entire column 5).

Regarding claim 16, a connector body 140 (see fig 1) having a first passage for receiving a rigid conduit 160 (see fig 1); a gland nut 110 (see fig 1) threadably coupled to said connector body (see fig 3, column 5 lines 45-55), said gland nut including a second passage (not numbered, see fig 1) and a shoulder 116 in said second passage (see fig 6, column 5 lines 65-68, and column 6 lines 1-2); a continuous metal compression ring 120 (see figs 5, 5A-5C) positioned within said second passage, said compression ring including an annular stop 127 and first and second coaxial end portions 123 and 124 respectively extending from said stop (see fig 5A); and means 113 for providing a tactile indication that said gland nut has been properly torqued (see fig 1).

Assembly of the device of Bachle comprises the method steps of :

Regarding claim 21, a method of securing an electrically conductive connector fitting to a rigid metal conduit 160 (see fig 1), the connector fitting including a metal connector body 140 (see fig 1), a metal gland nut 110 (see fig 1) threadably coupled to the connector body (see fig 3, column 5 lines 45-55), and a continuous metal compression ring 120 (see figs 5, 5A-5C) positioned within the gland nut, the compression ring including a central portion including a stop 123 and first and second coaxial end portions 124, 125 respectively adjoining the stop (see fig 5), comprising; mounting the connector fitting to the

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rigid metal conduit such that the conduit extends within the connector body and the gland nut (see fig 1); and rotating the gland nut with respect to the connector body, thereby urging said second end portion of said compression ring between said conduit and said connector body and causing said first end portion thereof to be press fit between an inner surface of said gland nut and said conduit such that said fitting is substantially rain tight (see fig 3).

Regarding claim 23, wherein said connector body includes an external stop 143 (see fig 1), including rotating said gland nut until it engages said external stop (see fig 3).

Regarding claim 24, including rotating said gland nut until engagement of said stop with internal surfaces of said connector fitting is tactile detected (see fig 3).

Allowable Subject Matter

6. 7, 11-15 would be allowable if amended to overcome the objection of the drawings, set forth in this Office action.

7. Claims 3,8, 10 and 17-20 and 22 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reason for the indication of the allowability of claims xx are the inclusion therein, in combination as currently claimed, of the limitation of said compression ring is dimensioned such that, upon tightening of said gland nut, said first end portion of said compression ring is

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positioned within said gland nut shoulder and said second end portion is urged inside said connector body (for claim 3), said compression ring and gland nut are dimensioned such that said first end portion of said compression ring can extend at least partially outside said passage of said gland nut such that it becomes visible to a user upon tightening of said gland nut (claims 4 and 6), including at least one means for visually indicating that said gland nut has been properly torqued (for claims 7 and 11-15), said end portion of said compression ring extends at least partially beyond said gland nut shoulder and a second end portion thereof extends within said passage of said connector body when said gland nut is tightened on said connector body (for claim 8), wherein said stop on said compression ring is engageable with said shoulder on said gland nut (for claim 10), wherein said means for providing a tactile indication includes said annular stop on said compression ring, an end surface of said connector body, and said shoulder of said gland nut (for claims 17-20), and rotating the gland nut until said first end portion of said compression ring extends far enough between said conduit and said inner surface of said gland nut to become visible (for claim 22).

The previously listed limitation is neither disclosed nor taught by the prior art of record, alone or in combination.

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Other prior art cited

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kot, Gajajiva, and Law disclose a connector fitting similar to applicant's claimed invention.

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhiru Patel whose telephone number is 571-272-1983. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Dhiru Patel
Primary Examiner
Group Art Unit 2831
December 12, 2004


DHIRU R. PATEL
PRIMARY EXAMINER
12/12/04